IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO. 59 OF 2006

MR. SANTOSH GADEKAR, PANJIM GOA. ... Petitioner

Versus

BUILDMAT THROUGH ITS PARTNER MR. GAJANAN ZHARAPKAR, MAPUSA GOA AND ANR., ... Respondents

Mr. D. Patkar, Advocate for the Applicant.

Mr. A. D. Bhobe, Advocate for the Respondents.

Coram:- N. A. BRITTO, J.

Date:- 30th April, 2007

P.C.:-

Learned Counsel on behalf of both the parties have filed Consent terms, duly signed by the parties. The applicant/accused has given an undertaking that in the event of making default in complying with the Consent Terms he will undergo a sentence of twelve months of imprisonment, independent of the orders impugned in the revision petitions. The said undertaking is accepted. In the light of the said undertaking both the parties consent that the impugned orders be set aside and the accused acquitted under Section 138 of the Negotiable Instruments Act, 1881. Accordingly, both the impugned orders referred to in para B are hereby set aside and the accused acquitted under Section 138 of the Negotiable Instruments Act, 1881. The revision petitions are disposed of in terms of the undertaking given by the applicant/accused.

N. A. BRITTO, J.

RD.